



#3

**DECLARATION**  
**AND**  
**POWER OF ATTORNEY**

As a below named inventor, to which the invention identified herein rightfully belongs, I declare that I am the original, first and a joint inventor of the invention entitled SEAWALL PANEL which is described in specification filed November 25, 1998 as U.S. Patent Application Serial No. 09/199,933, and that, upon information and belief, Miguel Terc, having an address at 1266 W. Paces Ferry Road, Suite 134, Atlanta, Georgia 30327, is an original, first and joint inventor of said invention.

This application in part discloses and claims subject matter disclosed in an earlier filed provisional application no. 60/066,588, filed November 26, 1997.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the invention claimed in this application, in accordance with Title 37, Code of Federal Regulations, §1.56(a) and (b).

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application listed below.

60/066,588  
(Application No.)

November 26, 1997  
(Filing Date)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**Prior Foreign Application(s)**

			<u>Priority Claimed</u>	
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) and (b) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending abandoned)

I hereby appoint Jeffrey S. Standley, Reg. No. 34,021 and/or Roger A. Gilcrest, Registration No. 31,954, c/o Standley & Gilcrest, 495 Metro Place South, Suite 210, Dublin, Ohio 43017, Telephone No. (614) 792-5555 my attorneys, with full power in each of them, of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence should be sent to the attention of **Jeffrey S. Standley, Esq.** at the address above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Full name of inventor   
Kevin T. Burt

Date 3-30-99

Residence Columbus, Ohio

Citizenship United States of America

Post Office Address 44 Wilson Avenue, Columbus, Ohio 43205

Full name of inventor Miguel Terc

Date \_\_\_\_\_

Residence Atlanta, Georgia

Citizenship United States of America

Post Office Address 1266 W. Paces Ferry Road, Suite 134, Atlanta, Georgia 30327